

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA

VS.

JAMES WYATT ADAMS

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NO. 6:12CR 92

FACTUAL RESUME

In accordance with the plea agreement, the parties agree to the following undisputed facts that support the charges in Count 1 of the Information:

1. At all relevant times, James Wyatt Adams (Adams) was the owner of Excel Ford, a new and used car dealership in Panola County, Texas. As part of an agreement with Ford Motor Company, Excel Ford could qualify for certain incentives and rebates when Ford automobiles were sold under certain conditions. For example, Excel Ford could qualify for a monetary incentive when it sold a vehicle that qualified because certain aftermarket equipment, such as a trailer hitch or tool box, was added to the vehicle. Adams, with others, concocted a scheme to defraud Ford Motor Company with respect to rebates and incentives offered to dealers and consumers by Ford Motor Company. It was part of the scheme that James Wyatt Adams represented, or caused to be represented, to Ford Motor Company, that certain vehicles qualified for various incentives and that Excel Ford was therefore entitled to receive the incentives when, in fact, the vehicles did not qualify and Excel Ford was not entitled to receive the incentives.

2. As part of the scheme, Excel Ford contracted to sell to C. S. a 2008 Ford pickup truck. The truck came equipped with a trailer hitch and did not have a tool box or bed liner. However, Excel Ford represented to Ford Motor Company that an "aftermarket" trailer hitch, bed liner, and tool box had been added to the truck prior to its sale to C. S., so that Excel Ford could qualify for certain incentives. As part of that representation, Wyatt created, or had created, a false and fictitious invoice from a third party vendor reflecting that a trailer hitch, tool box, and bed liner had been added to the truck by the vendor.

3. On or about July 25, 2008, Wyatt transmitted, or caused to be transmitted from Panola County, Texas, in the Eastern District of Texas, via the Internet, in interstate commerce, the false invoice and other documents reflecting the sale of the truck to Ford Motor Company for the purpose of obtaining incentives from Ford Motor Company.

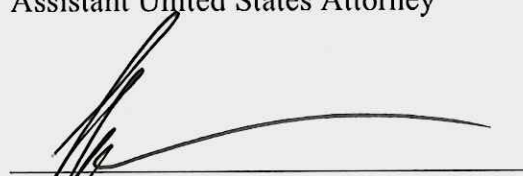
4. The total loss or intended loss resulting from the scheme was at least \$70,000, but less than \$120,000.

Dated: 12/5/12



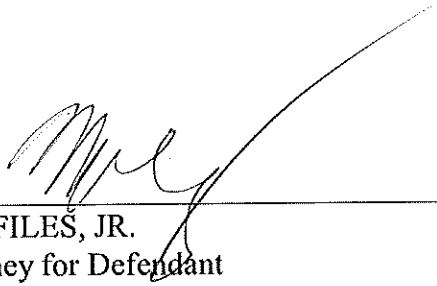
ALAN R. JACKSON
Assistant United States Attorney

Dated: 12-5-12



JAMES WYATT ADAMS
Defendant

Dated: Dec 5, 2012



F. R. FILES, JR.
Attorney for Defendant